

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|--|---|------------------------------------|
| CARL DALE HOTT, | : | CIVIL ACTION NO. 2:17-CV-97 |
| | : | |
| Plaintiff | : | (Chief Judge Conner) |
| | : | |
| v. | : | |
| | : | |
| AUTO SYSTEM CENTERS, INC., | : | |
| trading and doing business as Midas | : | |
| Auto Service Experts, | : | |
| | : | |
| Defendant | : | |

ORDER

AND NOW, this 28th day of September, 2018, upon consideration of the motion (Doc. 38) for summary judgment by defendant Auto System Centers, Inc. (“Auto System”), and the parties’ respective briefs in support of and opposition to said motion, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Auto System’s motion (Doc. 38) for summary judgment is GRANTED in part and DENIED in part as follows:
 - a. Summary judgment is GRANTED in Auto System’s favor as to the wrongful discharge claim (Count II).
 - b. Auto System’s motion (Doc. 38) is otherwise DENIED.
2. The Clerk of Court shall enter judgment in Auto System’s favor and against plaintiff Carl Dale Hott on the wrongful discharge claim (Count II).

3. The court will schedule the above-captioned matter for jury selection and trial on the surviving claim (Count I) by separate order.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania